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**TO:** Mail Stop Non Fee  
Commissioner For Patents

**FROM:** Cassie Prochaska

**RE:** Soybean Variety XB53J04  
Serial No. 10/769,208  
Case 1832

**DATE:** 8/4/2005                    **FAX NUMBER:** (571) 273-8300

**NUMBER OF PAGE(S) FOLLOWING THIS SHEET:** 18

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**COMMENTS:**

Amendment – 7 pages  
Appendix A – 2 pages  
Appendix B – 9 pages

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AUG 04 2005

Case No. 1832

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Suttner, Robert James, et al.  
 SERIAL NO : 10/769,208  
 FILED : January 30, 2004  
 TITLE : Soybean Variety XB53J04  
 Grp./A.U. : 1638  
 Examiner : Kubelik, Anne R.  
 Cust. No. : 27310  
 Docket No. : 1832

AMENDMENT

Mail Stop Non-Fee Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Madam:

In response to the communication from the Examiner dated May 6, 2005, it is respectfully requested that this Amendment be entered and made of record. The following amendments and remarks place the application in form for allowance. No new matter is presented, and as such the Amendment is proper under 37 C.F.R. §1.121. Applicant respectfully requests reconsideration.

Introductory Comments

Claims 1-8 are pending in the present application.

**Amendment to the Specification** is on page 2.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Mail Stop Non-Fee Amendment, Alexandria, VA 22313-1450.

## FACSIMILE

transmitted by facsimile to the Patent and Trademark Office, Art Unit 1638 at Fax No. (703) 872-9306.

Date: \_\_\_\_\_

  
 STEVEN CAULSTEIN  
 Date : 8/4/2005